

same and to the other two actions comenced against him by Walter Tucker & Comp^a & Samuel Tucker and Richard Hallett he did not deny but that he was receiver of the Severall goods merchandizes tobaccoes bills accompts & writeings in the Said declarations mentioned & that he was ready to accompt for the Same And the Attorney of the Said Walter Tucker & Comp^a being willing to admitt & allow of the Said W^m Dunkertons plea as to that part of the 31 £ 19^s 6^d for the price of the invoice of the Said goods mentioned and not mentioned in the packing booke nor received by the Said William Dunkerton as he pretended Save Only One peice of Kersey Valued at about 4 £ 10^s which is mentioned in the said packing booke to be received by the Said W^m Dunkerton and yet by him pretended not to be received which the Said Compts Attorney would not allow of unlesse the said W^m Dunkerton could make it appeare before the Auditors hereafter named by Sufficent prooffe to be allowed off by the Said Auditors that he never received the same being part of the said 31 £ 19^s 6^d It is by this Court Ordered in the p^rsence and by the consent of the parties of both Sides by their Attornyes That Nathaniel Vty Esq^r and John Gilbert merchant be and are hereby appointed Auditors to audite State & examine the Severall accompts p. 254 betweene the Said Severall Compts and the defendant Dunkerton and which to the Compts the Said Dunkerton to render ought and that the Said Auditors doe meet at Such day and place in the Said County of Baltemore or Caecil County as they Shall thinke meete off which first day of meeting convenient notice is by the Said Auditor^s under their hands to be given unto M^r Thomas Howell & M^r John Vanheck Attornyes of the Said Compts who are before the Said Vtye to prove their letter of Attorney from Smith and also to the def^t W^m Dunkerton that they may be then and there present with their evidence & witnesses (if any they have) the better to cleare the accompt in question, at which Said day and place the Said parties before named upon notice given as aforesaid are to attend the Said Auditors and So doe attend from day to day untill the Said accompt Shalbe fully Stated by the Said Auditors. And the Said Auditors for their better proceedings herein are to be armed with a Comission to examine wittnesses & to administer Oathes to any wittnesses y^t shall be produced before them on either part and when the Said auditors haue fully audited & stated the Said accompt betweene the Said parties they are hereby Ordered to returne their full and whole proceedings herein to Our justices of Our Provinciaall Court in writing closed up under their hands and Seales without delay.

October 28th 1674.

Comiss^s then issued to Nathaniel Vty Esq^r and John Gilbert to audite State & examine the accompts of the parties abovesaid in pursuance of the abovesaid Order.

Maryland ss.